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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,789	02/20/2004	Hiroshi Kanno	2004_0258A	6500
513	7590 04/14/2005		EXAMINER	
	OTH, LIND & PONAC	JONES, STEPHEN E		
2033 K STREET N. W. SUITE 800			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20006-1021			2817	
			DATE MAILED: 04/14/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

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1) ⊠ Responsive to communication(s) filed on 15 February 2005.  2a) ☐ This action is FINAL. 2b) ☑ This action is non-final.  3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☑ Claim(s) 1-20 is/are pending in the application.  4a) Of the above claim(s) 5.6 and 8-20 is/are withdrawn from consideration.  5) ☐ Claim(s) 1.4 and 7 is/are rejected.  7) ☑ Claim(s) 1.20 are subject to the extraction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☑ All b) ☐ Some * ○ ☐ None of:  1. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892)  2) ☐ Notice of Oraftsperson's Patent Drawing Review (PTO-948)		Application No.	Applicant(s)				
Stephen E. Jones   2817	Office Action Commence	10/781,789	KANNO, HIROSHI				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions for the many be available under the provisions of 3 CFR 1.136(a). In or event, horavor, may a reply be timely filed that so 30, (6) MONTH from the mailing date of this communication, self-vertice in the state of the communication of 3 CFR 1.136(a). In or event, horavor, may a reply be timely filed that so 30, (6) MONTH from the mailing date of this communication of the provision of the provision of the provision of the provision of 3 CFR 1.734(a).  If NO period for reply is specified above, the maximum statutory period valley part and vallegar by (6) MONTHs from the realizing date of this communication, even if the provision of the provision of the provision of the provision of the communication, even if the provision of the provision o	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Exercisions of time may be available under the proteitions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed  - Exercision of time may be available under the proteitions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed  - Exercision of time may be available under the proteitions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed  - If NO period for reply is genified above, the maintern statutory period vill apply and vall copies SIX (5) MONTHS form the mainter date of this communication.  - Failure to input which the six or controlled period for regly is specified above, the maintern statutory period vill apply and vall copies SIX (5) MONTHS form the mainter date of this communication, the maintern adjustment. See 37 CFR 1.704(b).  - Status  - Status  - Status  - Status  - Status  - This action is FINAL.  - Silve this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  - Disposition of Claims  - A) Claim(s) 1-20 is/are pending in the application.  - 4a) Of the above claim(s) 5.6 and 8-20 is/are withdrawn from consideration.  - 5) Claim(s) 1-20 is/are allowed.  - 5) Claim(s) 1.4 and 7 is/are rejected.  - 7) Claim(s) 2 and 3 is/are objected to.  - 8) Claim(s) 1.4 and 7 is/are rejected.  - 7) Claim(s) 1.4 and 7 is/are rejected.  - 7) Claim(s) 1.4 and 7 is/are rejected.  - 8) The specification is objected to by the Examiner.  - Application Papers  - 9) The specification is objected to by the Examiner.  - 10) The drawing(s) filed on		Stephen E. Jones	2817				
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#### **DETAILED ACTION**

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#### Election/Restrictions

- 1. Applicant's election without traverse of species I (Figs. 1A-2C) in the reply filed on 2/15/05 is acknowledged. Applicant indicated that claims 1-4, 7, and 18-20 read on the elected species. However, upon examination it appears that claims 18-20 more appropriately read on a non-elected species (such as Fig. 6) since the elected species does not include a surface mounted package.
- 2. Accordingly, Claims 5-6 and 8-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 2/15/05.

## Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 1, 4, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue et al.

Inoue (e.g. see Figs. 1A-1B) teaches a high frequency probe circuit (e.g. 15 GHz) including: a resin board (20) which can be considered low dielectric constant material since it is the same material as claimed and low is a broad term (Claim 7); a signal strip (17) having ground strips (18) on each side including interspace between the grounds

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and the signal line; a ground conductor (21) on the underside of the substrate; vias are on connecting the top ground portions to the bottom ground conductor; some of the vias are astride the line and form pairs astride the line; the pair closest to the terminating end (11) of the line is a smaller distance apart than the other pairs that are astride the line (Claim 1); and the pair of vias closest to the terminating end is inherently disposed away from an end of the ground conductor layer by a distance which is less than ¼ wavelength of some corresponding designed frequency, and Inoue teaches the distance to be not greater than ¼ wavelength for the operating frequency which implies distance that is less than ¼ is included (Claim 4).

### Allowable Subject Matter

5. Claims 2-3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen E. Jones whose telephone number is 571-272-1762. The examiner can normally be reached on Monday through Friday from 8 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Art Unit: 2817

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

SEJ